

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

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ANTONIO CORDOVA GONZALEZ,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

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Civ. No. 97-1672(PG)

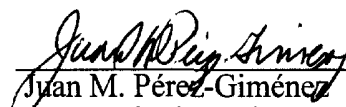
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PR

OPINION AND ORDER

Before the Court are petitioner's Prayer For Indulgence (Dkt. 91) and Prayer Based on Humane Reasons (Dkt. 94). After carefully reviewing the record, the Court finds that petitioner has not presented any new evidence sustaining his claim that the two sentencing enhancements¹ do not apply. All the physical, psychological and psychiatric conditions cited by petitioner in his "Prayers" were presented at the time of sentence and documented in the pre-sentence investigation report. They were duly considered by the Court at that time. Thus, the original guideline application is the most accurate application of the law to the facts. Furthermore, the Court reiterates the fact that defendant was sentenced to 108 months, precisely the sentence he bargained for and accepted by the Government in the Plea Agreement.

IT IS SO ORDERED

San Juan, Puerto Rico November 28, 2000


Juan M. Pérez-Giménez
U.S. District Judge

(2)
719
¹During sentencing petitioner's sentence was enhanced 2 points for possession of a weapon in accordance with U.S.S.G § 2D1.1(b)(1) and 4 points for being a "leader" under § 3B1.1.